

Serial No. 105
Supplementary List-1

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

**CM (M) No. 83/2026
CM No. 2735/2026**

Madan Lal

.....Petitioner

Through: Mr. Abid Khan, Advocate &
Mr. Munish Malhotra, Advocate

Vs

Ram Murti

.....Respondent

Through:

CORAM: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE
ORDER
(05.05.2026)

- 01.** The respondent-Ram Murti, came to commence a civil suit on **31.01.2024** before the court of learned City Judge, Jammu wherein he is seeking a declaration to the effect declaring him as well as proforma defendant No. 4-Rajinder Kumar, as exclusive owner in possession of suit land comprised in **Khasra Nos. 2069 and 2021** min to the extent mentioned situated in **village Assurwan (Mishriwala), Tehsil Bhalwal, Jammu** and further seeking declaration against the petitioner who figures as defendant No. 1 that he was disinherited by the grandfather of the respondent and therefore, cannot claim any right qua the suit land.

- 02.** A further declaration has been solicited with respect to Sale Deed dated **01.12.2021** executed by the petitioner herein in favour of the co-defendant No. 2-Bhupinder Singh, both of whom figured as contesting defendants joined by proforma defendants No. 3 to 14 in the civil suit.
- 03.** The suit of the respondent came to suffer dismissal for non-prosecution in terms of an order dated **24.10.2025** for seeking restoration of which the respondent came forward with an application filed on **20.11.2025** which came to be allowed by the court of learned Sub-Judge, Jammu to which the suit came to be later transferred the first court of learned City Judge, Jammu.
- 04.** The petitioner, as a defendant No. 1, is aggrieved of the restoration so ordered by the court of learned Sub-Judge, Jammu terming the order as offering premium to the respondent for his negligence and default in pursuing the civil suit and further that under the garb of repeated adjournments and absence, the respondent was enjoying operation of injunctory interim direction as given in terms of the order dated **31.01.2024**.
- 05.** Issue notice to the respondent.
- 06.** Petitioner to furnish registered postal cover for the service of the respondent within a period of ten days whereupon notice to go to the respondent.

- 07.** List on **06.07.2026**.
- 08.** In the meantime, let the scanned record of the civil suit titled "**Ram Murti Vs. Madan Lal & Ors.,**" on file No. **181/2025 be summoned** from the court of learned Sub-Judge, Jammu for enabling its perusal to examine the veracity of the averments herein being made by the petitioner in assailing the impugned order.
- 09.** In the meantime, further proceedings in the civil suit shall remain **stayed**.

JAMMU
05.05.2026
SUNIL

